

March 17, 2014

Human Trafficking



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The next issue of Capitol Journal will be available on March 24th.

Top Story

States have in recent years been coming down hard on human traffickers and the johns who solicit their often-underage victims. But how to best deal with the young girls and boys the traffickers exploit has been far more challenging.

SNCJ Spotlight

More states looking to offer "safe harbor" to underage trafficking victims

Dealing with human trafficking has always been tricky business for lawmakers. States have in recent years been bringing down a variety of hammers, most aimed at the traffickers or the johns who solicit their often-underage victims. But how to best deal with the young girls and boys the traffickers exploit has been far more challenging.



By Rich Ehsen

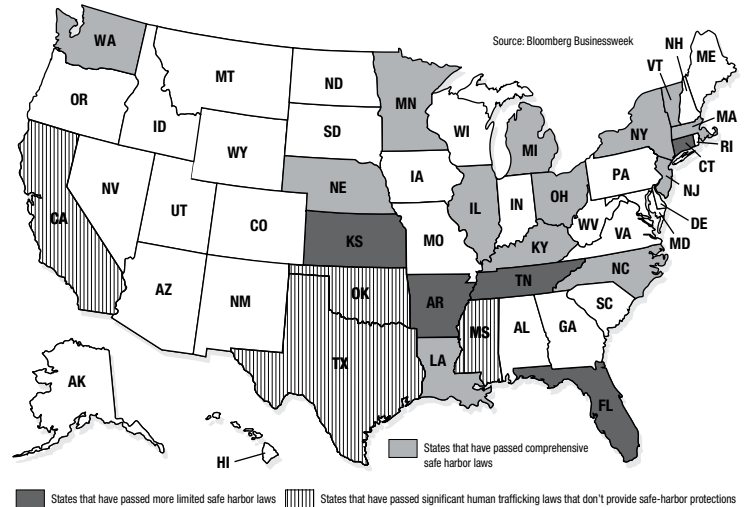
According to the U.S. Department of State, human trafficking has developed into a \$32 billion global industry, with some estimating there are as many as 27 million trafficking victims worldwide. Nobody knows how many end up in the United States, though most estimates hover around 15,000 to 17,000 people each year. Most are adults forced into working in factories or on farms, but a large number are also children forced into the sex trade. Exactly how many remains a mystery.

“We know there is a huge problem,” says Lauren Ryan, the director of Minnesota’s nascent No Wrong Door anti-trafficking program. “But we don’t have exact numbers. We just don’t have the data.”

States have been aggressive in going after traffickers, including using racketeering and anti-gang laws to prosecute organized trafficking operations. Many have also adopted more severe asset forfeiture and criminal penalties for those convicted of the crime. According to Polaris Project, which advocates for state and federal anti-trafficking laws, 39 states passed such measures in 2013, and 32 have now achieved the group’s Tier 1 ranking for the strength of their anti-trafficking policies. That’s up significantly from 2012, when only 21 earned that distinction.

In recent years, many states have also begun offering greater assistance to victims, allowing them to claim civil damages against their traffickers and vacating previous prostitution convictions. A growing number have also adopted so-called “safe harbor” laws, which generally fall in line with the federal Trafficking Victims Protection Act, which says minors arrested for prostitution should be treated as victims of exploitation rather than as criminal offenders. The presumption is that if a minor cannot legally consent to have sex with an adult in normal situations, it is illogical to treat them as criminals for doing so when they are being coerced. Since 2008, when New York became the first state to adopt a statewide safe harbor law, 17 more have followed suit with some variation of their own: Arkansas, Connecticut,

Bird’s eye view



Only third of states provide ‘safe harbor’ from sex trade

Just 18 states have laws granting protections for minors who have fallen victim to human trafficking and commercial sexual exploitation, according to Polaris Project, an organization that fights human trafficking and present-day slavery. Most of these “safe harbor” laws provide both immunity from prosecution for prostitution-related offenses for anyone under the age of 18 and victim assistance, such as counseling and housing. But the laws in five states provide only one or the other. And four other states have passed significant laws combatting human trafficking, but the laws don’t provide safe-harbor protections.



Florida, Illinois, Kansas, Kentucky, Louisiana, Massachusetts, Michigan, Minnesota, Nebraska, New Jersey, New York, North Carolina, Ohio, Tennessee, Vermont, and Washington. In theory, these laws not only preclude a minor-age trafficking victim from being prosecuted as a criminal, they allow victims to receive support services that will help get them away from the forced sex trade, including mental health treatment, drug addiction counseling and safe housing.

But funding for the specialized services most trafficked kids require is spotty. Polaris Project says that while several states have included dedicated funding provisions, most have not. For example, Connecticut, Texas and Tennessee refrain from prosecuting trafficked minors as prostitutes but offer virtually no critical services thereafter. Meanwhile, New York, Louisiana, Kansas, Washington and Vermont are among those which arrest and prosecute minors, but also have state-funded diversion programs to which judges have the option of sending them to. Age cutoffs also vary. The Texas law applies only to kids 14 or younger. The cutoff is 15 in Connecticut, while Illinois, Nebraska and Tennessee are among those that grant immunity from prosecution to any trafficked minor under 18.

According to the National Conference of State Legislatures, at least 11 states have pending safe harbor bills. This includes California, which adopted a safe harbor measure in 2008 that currently applies only to Alameda and Los Angeles Counties. Efforts to make the law statewide have so far been slow to come to fruition, a source of great frustration for many in a state that is home to several of the biggest trafficking hubs in the nation, including Oakland, San Francisco, Los Angeles and San Diego.

“There is still belief among a lot of people that if you don’t arrest these kids, then you can’t get them into services.”

But it is not for a lack of trying, says Nola Brantley, executive director and co-founder of the Oakland, California-based anti-trafficking group MISSEY (Motivating, Inspiring, Supporting, and Serving Sexually Exploited Youth). She says that while there is wide support for helping underage trafficking victims, there is not unanimity on how to do it.

“There is still belief among a lot of people that if you don’t arrest these kids, then you can’t get them into services,” she says.

Although the Golden State’s budget situation has improved dramatically over the last two years, funding for such programs has been a tough sell around the Capitol as Gov. Jerry Brown (D) continues to preach fiscal austerity even as the state’s coffers have moved from a deficit to a surplus. Brantley says a safe harbor law unto itself doesn’t mean much without funding to pay for both the services kids need and the people and training to administer them.

“You can stop arresting [trafficked kids], but then what?” Brantley says. “Does the Department of Child and Family Services, where these kids should really be directed to, have the capacity to deal with them? The answer currently is no.”

● That certainly resonates with Alameda County District Attorney Nancy O'Malley, who says her county has prosecuted almost half of all the human trafficking cases adjudicated in California in recent years. She says the biggest challenge for anyone trying to get underage kids out of the life is keeping them away from their traffickers, who often use both physical and emotional tools to control their victims.

“We have not yet found the system that really fits the needs of these exploited minors,” she says. “What does the system look like that keeps them from being arrested but also keeps them safe and separated from their traffickers? It can’t just be decriminalization because that would be feeding them to the wolves.”

That very possibility, says Minnesota’s Ryan, was a driving force behind the Gopher State’s safe harbor law, which goes into effect in August. In the three years from the law’s passage in 2011, stakeholders from law enforcement, social services and other advocacy groups came together to work out a comprehensive plan that dramatically increases both penalties against the johns who solicit child prostitutes and the kids who they victimize. The law now treats minors under age 16 who are

arrested for prostitution as victims while also imposing a mandatory first-time diversion for 16- and 17-year old offenders into social services programs aimed at getting them away from their traffickers for good.

It also creates a network of six “navigators” throughout the state that will help guide victims to those services, and a single statewide director of child sex trafficking prevention. Ryan assumed that role about four months ago.

“We didn’t want to just not charge them and then send them right back out into the street,” she says.

But funding remains an issue. Last year, the Minnesota Department of Health asked for \$13.5 million to fund the program; lawmakers appropriated only \$2.8 million. The funds paid for Ryan and the six navigators and shelter space for a dozen trafficking victims. Full funding would have made space for up to 40.

Meanwhile, California is moving closer to implementing a statewide safe harbor law. Last fall, the Senate approved SB 738, sponsored by Sen. Leland Yee (D), a bill that would move minor trafficking victims under the jurisdiction of the juvenile court system and provide training for foster parents and group home administrators in how to better deal with trafficking victims. It is currently awaiting a vote in the Assembly Committee on Human Services.

“The criminal justice system always wants to have leverage, and in this case the leverage of sending someone to jail,” he says. “But I think we’re finally close to working out the details of how we separate those who are real violators and those who are victims.”

“The criminal justice system always wants to have leverage, and in this case the leverage of sending someone to jail.”

California lawmakers are considering several other new trafficking bills as well. These include SB 939, which would allow joint prosecutions for human trafficking across multiple jurisdictions, SB 955, which would allow police to get wire taps on suspected traffickers, and SB 1388, which would make it a misdemeanor to solicit a prostitute, with part of the fines going to the state's Commercial Sexual Exploitation of Children Fund.

Although Polaris has voiced strong support for Sen. Yee's Safe Harbor bill, others have expressed concern over its intention to refer trafficked kids to the foster care system. Daphne Phung, founder of California Against Slavery, says 60 percent of trafficked kids have already been in and run away from the foster system, a statistic she calls "appalling." She calls SB 738 "a step in the right direction," but says the law needs to place kids in shelters where they can receive specialized sexual trauma treatment.

Yee says he understands her frustration, adding he has been working on getting a bill like SB 738 passed for a decade. But after years of historic budget cuts that have hit social services particularly hard, he thinks the time may finally be right.

"Everything around here is one step at a time," he says. "We have to get this first step in place before we can move on."

— By RICH EHISEN

Budget & taxes

C O RECREATIONAL POT SALES TRAIL ESTIMATES: In January, Colorado's first month of legalized recreational marijuana sales, the state took in slightly over \$2 million in associated taxes, according to a press release last week from the state's Department of Revenue. That total included \$1.4 million from the state's special 10 percent sales tax on recreational marijuana, \$416,690 from its regular 2.9 percent sales tax, and \$195,318 in excise taxes paid by recreational marijuana businesses. Based on those numbers, recreational marijuana businesses did a little over \$14 million in retail sales for the month.

While those first-in-the-nation figures are historic, they're well off the pace of previous estimates for recreational pot sales and revenues in the state. Last month, Gov. John Hickenlooper's (D) budget office projected sales from both recreational and medical marijuana would generate nearly \$134 million in tax and fee revenues for the fiscal year that begins in July, which presumes marijuana sales of close to \$1 billion, with about \$600 million coming from recreational pot shops. Both the governor's office and state legislative analysts also predicted recreational marijuana sales in the first six months of 2014 would exceed \$190 million.

But the number of recreational pot shops, which stood at 59 in January, continues to rise, and a state rule exempted some early marijuana transfers from excise tax, which could make revenue projections a moving target for another month or so.

“We expect clear revenue patterns will emerge by April and plan to incorporate this data into future forecasts,” Barbara Brohl, head of the state’s Department of Revenue, said in a statement. (DENVER POST, STATE NET)

VA LAWMAKERS ADJOURN WITHOUT PASSING BUDGET: Virginia lawmakers headed home from their 2013 session last week without passing a state budget. The state’s GOP-controlled House and politically split Senate — with 20 Democrats and 20 Republicans — were unable to break their gridlock over Medicaid expansion and approve a spending plan for the biennium that starts July 1 or even approve revisions to the state’s current budget.

Gov. Terry McAuliffe (D) has called a special session for March 24, and he believes the two-week break will be beneficial for lawmakers.

“I think it’s important for everybody to go home to their constituents and hear the issues that I’ve been hearing as I’ve been traveling around the commonwealth,” said McAuliffe, who’s been publicly campaigning for the use of federal Medicaid expansion money to provide health coverage for hundreds of thousands of low-income, uninsured Virginians. (ROANOKE TIMES, STATE NET)

BUDGETS IN BRIEF: MAINE Gov. Paul LePage (R) proposed a referendum asking voters if they want tax relief in exchange for \$100 million in unspecified state spending cuts. The proposal echoes remarks LePage made last month in his State of the State speech, but Democrats and his opponents in the state’s November governor’s race called it an election-year stunt, saying LePage is free to propose spending cuts and tax reform through the state budget process (PORTLAND PRESS HERALD, STATE NET). • **LOUISIANA**’s film industry has exploded since the state expanded its film tax credit program in 2002, with the number of films shot in the state going from just one that year to 118 in 2010. But the 30 percent credit against expenses for productions with budgets over \$300,000 has also invited corruption, including the conviction of a former head of the state’s film production recruitment

In the hopper

At any given time, State Net tracks tens of thousands of bills in all 50 states, the US Congress and the District of Columbia. Here’s a snapshot of what’s in the legislative works:

Number of 2014 Prefiles last week: 119

Number of 2015 Prefiles last week: 1

Number of Intros last week: 4,607

Number of Enacted/Adopted last week: 1,527

Number of 2014 Prefiles to date: 19,526

Number of 2015 Prefiles to date: 65

Number of 2014 Intros to date: 61,451

Number of 2013 Session Enacted/Adopted overall to date: 40,747

Number of 2014 Session Enacted/Adopted overall to date: 6,819

Number of bills currently in State Net Database: 159,204

— Compiled By FELICIA CARILLO
(measures current as of 3/13/2014)
Source: State Net database

● effort in 2009 for accepting bribes in exchange for credits (TIMES-PICAYUNE [NEW ORLEANS]). • **NEBRASKA** state Sen. Burke Harr (D), sponsor of a measure granting income tax cuts (LB 1097), said the proposal appears to be dead for the year, due to “political realities” he said included the state’s short 60-day legislative session and the fact that this is the last year in office for the state’s governor and 17 senators (OMAHA.COM, STATE NET). • The number of **DELAWARE** residents receiving food stamps has nearly tripled over the past decade (NEWS JOURNAL [NEW CASTLE]). • The Miami Dolphins are seeking an exemption from property taxes for Sun Life Stadium in exchange for privately funding a \$350 million stadium renovation that would put South **FLORIDA** back in the running to host Super Bowls (MIAMI HERALD).

— Compiled by KOREY CLARK

Politics & leadership

BATTLE OVER ‘STAND YOUR GROUND’ HEATS UP: Gun-control advocates — spurred in part by the recent shooting death of a black teen in Florida — have launched what the Rev. Al Sharpton last week called a “spring and summer offensive” to generate support for gun control in general and the moderation or repeal of stand-your-ground laws in particular.

Ronald Davis, father of Jordan Davis, the 16-year-old black youth fatally shot in connection with an altercation over loud rap music in November 2012, said earlier this year that stand-your-ground laws make it easier for young black men to become “collateral damage” in the push by groups like the National Rifle Association to expand gun rights. A study by the *Tampa Bay Times* seems to support that view, showing that those who claimed “stand your ground” as a defense in Florida shooting cases prevailed more frequently when their victim was black than when the victim was white, 73 percent of the time versus 59 percent.

Davis’ death has highlighted another aspect of Florida’s stand-your-ground law that Republican state Sen. David Simmons takes exception to: it can be claimed as a defense even by those who instigate a confrontation that leads to gunfire, as was evidently the case with Davis. So Simmons has introduced legislation to curb that option.

But even as he pushed for his bill (SB 130) — and hundreds of protestors gathered in Tallahassee for an anti-gun rally — last week, most lawmakers in the Florida Capitol were focused instead on bills aimed at expanding the state’s stand-your-ground law to cover warning shots and making it illegal for schools to punish children for nibbling food into the shape of a gun. That fact reflects the reality that after toning down its rhetoric in the aftermath of the mass shooting at Sandy Hook Elementary School

in Newtown, Connecticut two years ago, the NRA's lobbying effort is in full swing again.

Still, legislation seeking to roll back parts of stand-your-ground laws has been introduced in several states, although none of it has passed. And no new stand-your-ground laws have been enacted since the shooting death of another black Florida teen, Trayvon Martin, in February 2012. (CHRISTIAN SCIENCE MONITOR, STATE NET)

UT SEEKING PRIMACY IN PRESIDENTIAL PRIMARIES: Utah has long been host to the nation's first presidential primary every four years, but Utah is hoping to change that in 2016. Last week the state's House passed HB 410, which would allow the state to hold an entirely electronic presidential primary one week before any other state's contest, with online voting giving it more flexibility to respond to timing shifts by other states.

"We've created a system that is blatantly discriminatory," said Rep Jon Cox (R), the bill's sponsor. "It creates second-class states."

Cox said despite the fact that Utah is far larger than New Hampshire, no one pays attention to it during the primary process.

"Our influence is minimal, if at all," he said.

He added that it "isn't just an issue of presidential candidates not paying attention to us, it's everyone else," noting that politicians-on-the-rise often take part in even small county elections in New Hampshire and Iowa, host of the first-in-the-nation caucus every four years, because of those two states' outsized influence on presidential politics.

Shifting its primary date would likely result in Utah being stripped of delegates to the national presidential nominating conventions, reducing the number of Republicans from 40 to nine, for instance. But Cox said those fewer representatives might still have more influence over the nominating process, pointing out that New Hampshire's 12 Republican delegates are more influential than Utah's 40 under the current system. (SALT LAKE TRIBUNE)

POLITICS IN BRIEF: ILLINOIS Gov. Scott Walker (R) said he will call a special session if courts fail this spring to uphold the voter ID law passed in 2011, after the GOP took complete control over the state's government. The law

Upcoming elections

(3/7/2014 - 3/28/2014)

03/18/2014

Illinois Primary Election

House (All)

Senate Districts 3, 6, 9, 12, 15, 18, 21, 24, 27, 30, 33, 36, 39, 42, 45, 48, 51, 54, 57

Constitutional Officers: Governor, Lieutenant Governor, Secretary of State, Treasurer, Attorney General, Comptroller
US House (All)
US Senate (Durbin)

Pennsylvania Special Election

Senate District 28

03/25/2014

Alabama Special Election

House District 53

California Special Primary

Senate District 23

04/01/2014

Massachusetts Special Election

House 4th Hampden, 2nd Suffolk, 13th Suffolk, 16th Suffolk, 5th Suffolk
Senate 5th Middlesex

District of Columbia

Council Wards, 1, 3, 5, 6

Mayor

US House Delegate

was blocked by two Dane County judges in 2012 (MILWAUKEE JOURNAL SENTINEL). • The inspector general for the U.S. Department of Health and Human Services is launching an investigation into **MARYLAND's** troubled health insurance exchange. The news comes just days after the U.S. Government Accountability Office said it was going to review state exchanges at the request of Congressional committees and members (BALTIMORE SUN).

— Compiled by KOREY CLARK

Governors

CUOMO'S INMATE COLLEGE PLAN STILL DEVELOPING: New York Gov. Andrew Cuomo (D) made big waves last month when he expressed his intention to propose providing a free college education to select prison inmates. But with the Empire State budget deadline rapidly approaching, the governor's plan is still far from complete.

As of last week, Cuomo had still not solicited requests from colleges that would potentially be providing the courses. Although he has publicly said it would cost the state about \$5,000 per inmate, he has also not put together an official figure to present to lawmakers. A Cuomo spokesperson, however, vowed the governor's plan would be ready by the budget deadline.

"We're working with the legislature on the funding issue, and we are in the process of finalizing the RFP, which will be ready in the near future," spokesperson Richard Azzopardi told reporters.

The plan has drawn intense criticism from Republicans, mostly around the plan's potential cost.

"The governor's plan doesn't even have a price tag," Sen. Thomas Libous (R) told the *Poughkeepsie Journal*. "With over 50,000 inmates in state prisons, this program could cost taxpayers tens of millions of dollars. That money could go to increased student aid or reduced tuition at SUNY schools."

A spokesperson for Senate co-leader Dean Skelos (R) said his boss also opposed the proposed plan.

"Senator Skelos doesn't believe taxpayer dollars should be used to provide free college tuition for felons while struggling middle-class families take out student loans to help their kids meet the rising cost of higher education," said Scott Reif.

Even some Democrats have balked. Assemblywoman Addie Russell (D), whose district includes three state prisons, says her constituents would not be happy to learn that convicted criminals were receiving a free college education while they are struggling to pay for their kids' tuition, housing and books.

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“That is the vast majority of feedback that I’m also getting from my constituents,” she told *National Public Radio*. “You know, ‘Where is the relief for the rest of the law-abiding population?’”

But Cuomo has argued that the plan would save the state millions of dollars in the long run by reducing recidivism. He has publicly said it costs the state about \$60,000 a year to house an inmate.

“Forget nice; let’s talk about self-interest,” Cuomo says. “You pay \$60,000 for a prison cell for a year. You put a guy away for 10 years, that’s 600 grand. Right now, chances are almost half, that once he’s released, he’s going to come right back.”

Cuomo pointed to the success of a privately funded model program started at Bard College in Annandale-on-Hudson, which provided college courses in six maximum and medium security prisons across the state. Approximately 500 inmates went through that program, with 250 receiving degrees. Of those, only 4 percent became repeat offenders.

There is other precedent as well: Congress in the 1970s passed legislation making prisoners eligible for federal Pell grants, which provide financial aid to needy students. But Congress reversed itself in 1994, barring inmates from receiving those grants. New York lawmakers followed suit the following year by banning prisoners from receiving in-state tuition assistance as well.

Cuomo’s plan would institute a trial program in about 10 prisons, one in each region of the state. The governor’s budget proposal is due at the end of this month. (POUGHKEEPSIE JOURNAL, NATIONAL PUBLIC RADIO, CNN.COM)

BREWER WON’T SEEK THIRD TERM: Arizona Gov. Jan Brewer (R) announced last week that she will not seek a third term in office. Brewer had been hinting for months that she might challenge the state term-limit law, which bars a governor who has served two terms or even one full term and part of another from running again. Brewer took office in 2009 when former Gov. Janet Napolitano (D) left to become the director of Homeland Security in the Obama administration. She was re-elected in 2010. Brewer later intimated that the short duration of her first term might be grounds for a constitutional challenge, but she apparently had a change of heart. At least eight GOP challengers have indicated they will seek the nomination to replace her. (ARIZONA REPUBLIC [PHOENIX], NEW YORK TIMES)

GOVERNORS IN BRIEF: The **TENNESSEE** Legislature endorsed a bill earlier this month (HB 937) that would bar Gov. Bill Haslam (R) from expanding the state’s Medicaid eligibility without their approval. Haslam said he supports the measure as he would not move to expand the program, known as TennCare, without their approval (NASHVILLE TENNESSEAN). • **IOWA** Gov. Terry Branstad

In case you missed it

Growing pains in the new, fast growing “sharing economy” could spur major regulatory realignments in a multitude of industries.

In case you missed it, the story can be found on our Web site at

http://www.statenet.com/capitol_journal/03-10-2014/html#sncj_spotlight

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(R) joined a lawsuit with five other states seeking to overturn California's egg-production law that bars "extreme confinement" cages and crates for egg-laying hens, pigs and calves bred for veal, and requires eggs sold in the state to come from chickens raised in cages where the birds have enough room to spread their wings. Opponents argue it is unconstitutional and discriminates against egg-producing states (DES MOINES REGISTER). • **DELAWARE** Gov. Jack Markell (D) joined a joint effort to defend the Common Core State Standards — a multi-state plan to make reading and math curriculum and standards more uniform — against what he calls "mythology" and "misinformation." The drive is a joint effort of the Bipartisan Policy Center Governor's Council, the U.S. Chamber of Commerce Foundation and the nonprofit Hunt Institute (WILMINGTON NEWS-JOURNAL). • Emails and other communications released last week showed that two of **ARIZONA** Gov. Jan Brewer's (R) closest staff members — adviser Michael Hunter and gubernatorial counsel Joe Sciarrotta — worked with lawmakers for weeks on SB 1062, the controversial "religious freedom" bill that Brewer eventually vetoed. At that time, Brewer called the measure "divisive" and said it did not address "a specific and present concern related to religious liberty in Arizona." There was no indication, however, that Brewer herself weighed in on the legislation as it was being crafted (ARIZONA DAILY STAR [TUCSON] ARIZONA REPUBLIC [PHOENIX]).

— Compiled by RICH EHISEN

Hot issues

BUSINESS: The **MARYLAND** House approves HB 295, a bill that would raise the Old Line State minimum wage to \$10.10 by 2017. It moves to the Senate (BALTIMORE SUN, STATE NET). • **SOUTH CAROLINA** Gov. Nikki Haley (R) signs HB 3623, a bill that allows Palmetto State motorists to use their smartphones to show proof of insurance during a traffic stop (STATE NET) • The **UTAH** Senate approves HB 127, which would give payday loan borrowers 60 days after reaching the 10-week limit to pay off the debt without lenders taking further action against them. The bill moves to Gov. Gary Herbert (R) for review (SALT LAKE TRIBUNE). • The **WASHINGTON** Senate gives final approval to SB 6065, which would bar anyone under 18 from using a salon tanning bed without written permission from a doctor. It moves to Gov. Jay Inslee (D) for review (KATU.COM [PORTLAND]). • The **IDAHO** Senate approves SB 1314, which would allow people who can't repay their payday loans a once-a-year option to get an extended payment plan with no additional fees or interest and ban payday loans for more than 25 percent of the borrower's monthly income, with the burden on the borrower to

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injection executions to be kept from the public and the courts. It moves to the Senate (STATE NET, ANNISTON STAR). • The **WASHINGTON** Senate approves HB 2789, which would require state agencies and law enforcement to receive approval from their governing bodies before procuring drones and to obtain warrants for most uses. The bill is in the House for concurrence (STATE NET, SEATTLE TIMES). • The **NEW HAMPSHIRE** House approves HB 1170 which would end capital punishment in the Granite State. It moves to the Senate (BOSTON GLOBE).

the drug to an overdose victim before seeking medical help for that person. It moves to Gov. John Kasich (R), who is expected to sign it (CLEVELAND PLAIN DEALER). • The **WASHINGTON** Senate approves SB 5887, a bill that would reduce the amount of marijuana and the number of plants medical weed patients can possess. The bill, which would also bar groups of marijuana patients from having collective gardens and establish a statewide patient user registry, moves to the House (SEATTLE POST-INTELLIGENCER). • The **KENTUCKY** Senate unanimously approves SB 124, which would allow the University of Kentucky and University of Louisville medical schools to conduct research using marijuana oil, which is extracted from a genetically modified strain of the plant for use in treating children who suffer from seizures. The law would allow anyone enrolled in a U.S. Food and Drug Administration trial to be treated with the oil extract. The measure moves to the House (LEXINGTON COURIER-JOURNAL).

SOCIAL POLICY: The **WEST VIRGINIA** House gives final approval to HB 4588, which would bar most abortions in the Mountain State after the 20th week of pregnancy. It moves to Gov. Earl Ray Tomblin (D) for review (BECKLEY REGISTER-HERALD). • The **MISSOURI** House approves HB 1307, which would require Show Me State women to wait three days to have an abortion after seeing a doctor, triple the current 24-hour waiting period. It moves to the Senate (COLUMBIA DAILY TRIBUNE, STATE NET).

POTPOURRI: The **WEST VIRGINIA** Legislature endorses HB 4393, a bill that would bar the private possession of dangerous wild animals. The measure moves to Gov. Earl Ray Tomblin (D) for review (STATE NET).

— *Compiled by RICH EHISEN*

Once around the statehouse lightly

Editor's note: Regular *SNCJ* readers know that every week in this column I poke fun at some of the more outlandish behavior of our elected officials and other government figures. But this week, we would instead like to acknowledge the life and passing of Bill Hauck, one of the most dignified and respected public servants in recent California history. As my colleague Lou Cannon notes below, Bill leaves behind a profound legacy of accomplishment and unselfish service worthy of the highest respect. He will be greatly missed — *RICH EHISEN*

WILLIAM R. HAUCK, THE ENEMY OF GRIDLOCK: California lost an esteemed public servant and *State Net Capitol Journal* lost a friend and indirect founder with the recent passing of William R. Hauck, a renaissance man of state government.

Hauck, who died at 73, had a long and distinguished public career as director of the non-partisan Office of Assembly Research. He was a key aide to two Democratic speakers of the Assembly and to Gov. Pete Wilson, a Republican. He served two decades on the board of the California State University system and chaired the California Constitutional Revision Commission. Recreating the moribund California Business Roundtable, he made it into an effective voice in Sacramento.

This brief and incomplete resume understates Bill Hauck's impact on California government over a half century. Although he never sought or held political office, he helped shape public policy on key issues, most recently the successful initiative campaigns of 2008 and 2010 in which voters transferred control of legislative and congressional redistricting from the Legislature to an independent commission and instituted the "top-two open primary." Under this system, voters choose in the general election from the top two finishers in the primary, regardless of party.

The aim of these changes is to give centrists a better chance in a political process dominated by the wings of both parties that has often resulted in partisan gridlock. As an apostle of effective government, Bill Hauck was the enemy of gridlock. He was result-oriented, steering a middle course among competing priorities and political egos and recognizing that consensus required compromise by both sides. In a 1997 interview Hauck explained that as chairman of the Assembly Office of Research he impartially served "serious legislators or serious public officials, decent people working hard, trying to solve problems...regardless of labels."

Most people who have worked in California state government over the last half century have a Hauck story, often one that demonstrates his insights about these legislators and public officials. In 1971, at the onset of Ronald Reagan's second term as governor, Hauck was chief of staff for the combative Assembly speaker, Bob Moretti. Reagan had proposed a welfare reform bill that Moretti thought was one-sided. For months, the two sides exchanged insults while the bill languished in an Assembly committee. Hauck, working with Reagan's legislative liaison, broke the deadlock. He suggested that Reagan and Moretti meet privately to negotiate their differences. In their subsequent face-to-face negotiations, the governor and the speaker, both capable but stubborn, developed grudging respect for each other.

The week in session

States in Regular Session: AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KS, KY, MA, MD, ME, MI, MO, MS, NE, NH, NY, OH, OK, PA, PR, RI, SC, SD, TN, US, UT, VT, WA, WI, WV, WY

States in Special Session: WI "c"

States currently prefilng for 2015 Session: MT

States adjourned in 2014: CA "a", DE "b", HI "a", HI "b", IL "a", IL "b", KS "a", MO "a", NH "a", NJ "2012-13 session", NJ "a", NM, OK "a", OR, PR "a", PR "b", VA, WA "a", WA "b", WA "c", WI "a", WI "b", WY

Letters indicate special/extraordinary sessions

— Compiled By FELICA CARILLO
(session information current as of 3/13/2014)
Source: State Net database

They hammered out a landmark welfare reform bill and subsequent productive compromises on tax and education legislation.

Twenty years later Hauck was deputy chief of staff to Gov. Wilson. The Assembly speaker at the time was another Democrat, Willie Brown, for whom Hauck had also worked. California faced an enormous budget deficit, caused largely by the implosion of the aerospace industry. As Wilson tells it, Hauck helped formulate and implement the plan that enabled the governor to balance the budget through a mix of budget cuts and tax increases. It was a grand bargain of the kind that has persistently eluded President Obama and the Republican House of Representatives.

You would not be reading these words in *State Net Capitol Journal* except for Bill Hauck. He was one of a group of young former Assembly staff members who founded *California Journal*, which for more than 30 years provided in-depth reporting and analysis of state government and politics. *SNCJ* is an offshoot of *California Journal*, which for much of its existence was published by State Net, a pioneering public information firm established by Judson Clark in which Hauck was a partner. State Net was acquired by Lexis Nexis in 2010.

Writing about Bill Hauck on the website *RealClearPolitics*, former Democratic political consultant Les Francis, a longtime friend, described Hauck as a public citizen and invoked the words of Ralph Nader, who said, “There can be no daily democracy, without daily citizenship.” In a similar vein Republican political consultant Rob Stutzman, quoted in the *Sacramento Bee*, called Hauck an “amazing bridge” who found common ground among the diverse interests contending in Sacramento.

Bill Hauck’s virtues were not limited to public life. He was devoted to his wife Padget and to his children, Adam and Cari, by an earlier marriage. He was a loyal friend to scores of people in government, business and — in my case — journalism. His word was his bond. He was an accomplished golfer with a love for the game.

But while Bill Hauck was unique, there are many other men and women sprinkled throughout state governments who provide useful guidance to the powerful. Their names do not appear on legislation; their satisfaction comes from the wisdom of their work. Bill Hauck is a beacon for such citizens — and indeed for everyone who cares about our oft embattled democracy. He was a man who made a difference.

— By LOU CANNON



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